U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
Jackson Area Office

Dr. A. H. McCoy Federal Building
100 W. Capitol Street, Suite 338
Jackson, MS 39269
(601) 948-8400
TTY (601) 948-8469
FAX (601) 948-8401
(800) 669-4000
(866) 408-8075

Certified No. 7011 1570 0003 7319 6528

EEOC Charge Number: 423-2013-00991

Mr. Robert L. Gibson
879 Williams Boulevard
Apartment 2
Ridgeland, MS 39157

Charging Party

Madison County Sheriff's Department
2500 North State Street
Jackson, MS 39216

Respondent

DETERMINATION

Under the authority vested in me by the Commission's Procedural Regulations, I issue the following determination on the merits of the subject charge filed under Title VII of the 1964 Civil Rights Act, as amended. The Respondent is an employer within the meaning of the Act and all requirements for coverage have been met.

Charging Party alleged that he was denied a promotion as a criminal investigator and was later discharged from his deputy's position because of his race (black) and in retaliation for voicing opposition that black deputies are not being promoted to the investigations and DUI units. Charging Party also alleged that a white employee promoted over him was less qualified and not certified.

I have determined that the evidence obtained in the investigation established reasonable cause to believe that Charging Party was discriminated against in violation of Title VII of the 1964 Civil Rights Act, as amended. Creditable evidence disclosed that the Respondent's promotional policy and practices were not uniformly applied to both races and were subjective at best. The evidence also showed that shortly after Charging Party's protest; he was singled out for criticism and discharged.

This determination does not conclude the processing of this charge. EEOC will begin conciliation efforts to resolve all matters where there is reason to believe that violations have occurred. When the Commission finds that violations have occurred, it attempts to eliminate unlawful practices by informal methods of conciliation. Therefore, I invite the parties to join with the Commission in reaching a just resolution of this matter. Disclosure of information obtained by the Commission during the conciliation process will be made only in accordance with the Commission's Procedural Regulations (29 CFR Part 1601.26).

EXHIBIT
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If the Respondent wishes to accept this invitation to participate in conciliation efforts, it may do so by signing the enclosed conciliation proposal or by submitting an alternative conciliation proposal for consideration by the EEOC within 14 days of the date of this determination. The remedies for violations of the statutes we enforce are designed to make the identified victims whole and to provide corrective and preventive relief. These remedies may include, as appropriate, an agreement by the Respondent to not engage in unlawful employment practices, placement of identified victims in positions they would have held but for discriminatory actions, back pay, restoration of lost benefits, injunctive relief, compensatory and/or punitive damages, and notice to employees of the violation and the resolution of the claim.

Should the Respondent have further questions regarding the conciliation process or the conciliation terms it would like to propose, we encourage it to contact the assigned Commission Representative. The assigned Commission Representative in this matter is Enforcement Investigator, Dorothy Crawford. You may contact her by telephone at (601) 948-8442 or by fax at (601) 948-8401.

Should there be no response from the Respondent within fourteen (14) days of the date of this determination, we may conclude that further conciliation efforts would be futile or nonproductive.

On Behalf of the Commission:

Date: 1/25/16

Wilma J Scott

Wilma Jones Scott
Jackson Area Director

Enclosure:
Proposed Conciliation Agreement.